

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 16 November 1995
 Name of applicant/court: Comptroller of Customs
 Applicant to the Labelling Body: Not Applicable
 Title of Publication: Bittes Latex No. 2
 Other Known Titles: Latex Pricks No. 2 (English Translation of French Title)
 Director: Not Stated
 Producer: Mike Garfield
 Publisher: Not Applicable
 Author: Not Applicable
 Format: Video Recording VHS/PAL
 Country of Origin: Germany
 Languages: French, German

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Components of film originally examined:

Feature:	Bittes Latex No. 2	Running time:	87.47
Trailers:	Güfa Notice	Running time:	0.31
		Total Running time:	88.18

Excision/Alteration: Yes.

Reasons(s) for Excision:

One excision for physical conduct of a degrading and demeaning nature. One excision for the use of urine in association with sexual conduct.

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Approved components of film after excision:

Feature:	Bittes Latex No. 2	Running time:	67.28
Trailers:	Safe Sex Notice	Running time:	0.43
	Güfa Notice		0.31
Total Amended Running time:			68.42

Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display conditions:

Section 27

on film

The film must be publicly displayed only in premises set aside for the public display of restricted publications (whether or not articles other than restricted publications are also displayed in those premises).

Descriptive Note:

Contains explicit sex scenes.

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Direction to issue a label has not been given.

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SUMMARY OF THE REASONS FOR DECISION:

The feature depicts explicit sexual activity that includes: masturbation; mutual masturbation; digital penetration of the vagina and anus; cunnilingus; fellatio; anilingus; dildo penetration of the vagina; fellatio performed on a dildo; vaginal intercourse; licking of boots; and two scenes of ejaculation - one onto a woman's pubic area, and one onto a female's face. There is one brief scene of anal intercourse. Males and females

urinate on each other, into each other's mouths, and onto boots and latex gloves. The sexual activity is casual, friendly and involves adults. People dress in latex outfits and one woman carries a riding crop.

The depiction of people in costumes with one woman holding SM paraphernalia is presented more for effect rather than actually used in direct association with the sexual activity. A man giving a female an enema presents as physical conduct of a degrading and demeaning nature. The prolonged, detailed depiction of the procedure with the close focus of the woman's buttocks and the water expelled from her anus, intensifies the degrading and demeaning nature of this depiction. It is recommended for excision.

Under the Submission From Interested Parties, Mr. Wood states he intends to sell and distribute the video recording in the normal manner which is taken to be through video retail outlets. The Classification Office notes his right under Section 14 of the New Zealand Bill of Rights Act 1990 (NZBR Act) to "the freedom to seek, receive and impart information and opinions of any kind in any form." Under Section 5 of the NZBR Act, this freedom is subject "only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society." Section 3(2) of the Act deems objectionable publications that promote or support or tends to promote or support the use of urine in association with sexual conduct. The video recording depicts the use of urine in association with sexual conduct. The depiction promotes and supports the activity by juxtaposing the act of urination with vaginal intercourse, cunnilingus, and masturbation. In considering Section 6 of the NZBR Act, the Classification Office notes that it is not possible to give Section 3(2) of the Act an interpretation consistent with the rights and freedoms set out in Section 14 of the NZBR Act.

The importer of this video recording has subsequently agreed to excisions removing the depictions of urination and the depiction of physical conduct of a degrading and demeaning nature. In consideration of this factor and the criteria as identified, the availability of the video recording is considered objectionable unless restricted to persons who have attained 18 years.

OFLC Ref: 9500441